

PATENT
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contd

21. A method for regulating the growth of soybean plants which comprises applying a synergistically effective amount of a synergistic herbicidal combination according to claim 20 to said plants.

22. The method according to claim 20, wherein the yield on the constituents of soybean plants are influenced.—

REMARKS

This invention relates to herbicidal combinations comprising two or more herbicides that can be employed against harmful plants in tolerant or resistant crops of soybeans and to a method for controlling unwanted plants in soybean crops.

Pursuant to 37 CFR 1.136(a) Applicants petition the Assistant Commissioner to extend the time period to file a response to the outstanding Office Action by three (3) months, i.e., up to and including December 27, 2001. A check for \$ 920.00 is enclosed to cover the cost of this petition. It is believed that no further fee is due. If, however, an additional fee is required in order for the Amendment to be considered by the Office, the Assistant Commissioner is authorized to charge such fee, or credit any overpayment, to Deposit Account 50-0320.

This Amendment cancels the pending claims in favor of new claims 14 to 22, without prejudice or the intention of creating estoppel. Support for these new claims is found in original claims 1 to 10. Primarily, the changes to the claims are made in order to place them in compliance with conventional U.S. practice; i.e., eliminate the phrase "use of." Thus the application of the doctrine of equivalents is not affected for these changes as it does not narrow the scope of the originally claimed subject matter. With respect to the cancellation of the

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herbicide cloransulam or cloransulam-methyl, Applicants are making this change in order to advance prosecution and reserve the right to file a divisional application directed to these compounds.

Applicants assume that the election of species was for examination purposes only. Applicants request that the Examiner proceed to search the next species.

The rejection of claim 1 to 6, 9 and 10 under 35 USC 101 is now moot in view of the new set of claims.

Claims 7, 8 and 11 to 13 stand rejected under 35 USC 102(a) and (b) for allegedly being anticipated by Johnson *et al.* In view of the amendments to the claims, it is urged that this rejection is moot and should be withdrawn.


Claims 7, 8 and 11 to 13 stand rejected under 35 USC 103(a) for allegedly being unpatentable over the combined teachings of Johnson *et al.*, Agvaje *et al.*, WO 98/09525, Harvey *et al.*, and Steckel *et al.* In view of the amendments to the claims, it is urged that this rejection is moot and should be withdrawn.

Favorable action is earnestly solicited.

Respectfully submitted,

FROMMER LAWRENCE & HAUG, LLP
Attorneys for Applicants

By:


Mark W. Russell
Reg. No. 37,514
Tel. (212) 588-0800
Fax. (212) 588-0500